

# Good, Bad, Ugly

## Legislative Update Thursday, July 05, 2018

### 1. Good

#### [AB 472](#) **(Frazier D) Employer liability: small business and microbusiness.**

**Current Text:** Amended: 9/7/2017 [html](#) [pdf](#)

**Introduced:** 2/13/2017

**Status:** 9/11/2017-Withdrawn from committee. Re-referred to Com. on RLS.

**Summary:** Under current law, the California Occupational Safety and Health Act of 1973, the Division of Occupational Safety and Health investigates complaints that a workplace is not safe and may issue orders necessary to ensure employee safety. Under existing law, certain violations of that act or a standard, order, or special order authorized by the act are a crime. This bill would prohibit the division from commencing any enforcement action for any nonserious violation, as defined, against any employer where the employer is a small business or microbusiness, as defined, without first giving the employer written notice and providing the employer 30 days to correct the violation.

#### **Position**

Support

#### [AB 767](#) **(Quirk-Silva D) GO-Biz Information Technology.**

**Current Text:** Amended: 7/2/2018 [html](#) [pdf](#)

**Introduced:** 2/15/2017

**Status:** 7/2/2018-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Current law requires GO-Biz to establish an electronic online permit assistance center, called the California Government Online to Desktops (CalGold), through the Internet for use by any business or entity subject to a law or regulation to assist that business or entity with complying with those laws or regulations. Current law requires CalGold to be reviewed periodically, as specified. This bill would, among other things, provide for a GO-Biz Information Technology Unit within GO-Biz, which would create an online Internet platform, called the California Business Development Portal, that is comprised of 3 elements, including economic and business development-related digital information, the systems and processes used to manage that information, and a public interface capability, as prescribed.

#### **Position**

Support

#### [AB 1065](#) **(Jones-Sawyer D) Theft: aggregation: organized retail theft.**

**Current Text:** Amended: 2/27/2018 [html](#) [pdf](#)

**Introduced:** 2/16/2017

**Status:** 5/29/2018-Read second time. Ordered to third reading.

**Summary:** Would create the crime of organized retail theft which would be defined as acting in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplace with the intent to sell, exchange, or return the merchandise for value, acting in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acting as the agent of another individual or group of individuals to steal merchandise from one or more merchant's premises or online marketplaces as part of a plan to commit theft, or recruiting, coordinating, organizing, supervising, directing, managing, or financing another to undertake acts of theft.

#### **Position**

Support

#### [SB 996](#) **(Gaines R) Corporation taxes: tax rates.**

**Current Text:** Amended: 4/5/2018 [html](#) [pdf](#)

**Introduced:** 2/5/2018

**Status:** 5/16/2018-May 16 hearing: Heard for testimony only.

**Summary:** The Corporation Tax Law imposes taxes measured by income at a rate of 8.84%, as specified. The Corporation Tax Law imposes a minimum franchise tax of \$800, except as provided, on every corporation incorporated in this state, qualified to transact intrastate business in this state, or doing business in this state. This bill, for taxable years beginning on or after January 1, 2018, would reduce the corporate tax rate to 6.84%.

#### **Position**

Support

#### [SCA 8](#) **(Moorlach R) Public employee retirement benefits.**

**Current Text:** Introduced: 2/15/2017 [html](#) [pdf](#)

**Introduced:** 2/15/2017

**Status:** 6/20/2017-June 26 set for first hearing canceled at the request of author.

**Summary:** Would permit a government employer to reduce retirement benefits that are based on work not yet performed by an employee regardless of the date that the employee was first hired, notwithstanding other provisions of the California Constitution or any other law. The measure would prohibit it from being interpreted to permit the reduction of retirement benefits that a public employee has earned based on work that has been performed, as specified. The measure would define government employer and retirement benefits for the purposes of its provisions.

**Position**

Support

## 2. Bad

**[AB 1761](#) (Muratsuchi D) Employee safety: hotel workers.**

**Current Text:** Amended: 7/2/2018 [html](#) [pdf](#)

**Introduced:** 1/4/2018

**Status:** 7/2/2018-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Would require, among other things, that a hotel employer, as defined, provide its employees, as defined, with a panic button, as specified, in order to summon immediate assistance when working alone in the guestroom. The bill would require a hotel employer to post a specified notice in each guestroom regarding these provisions. The bill would require a hotel employer to provide paid time off to an employee who is the victim of assault in order to contact the police, a counselor, medical professional, or an attorney.

**Position**

Oppose

**[AB 1884](#) (Calderon D) Food facilities: single-use plastic straws.**

**Current Text:** Amended: 6/27/2018 [html](#) [pdf](#)

**Introduced:** 1/17/2018

**Status:** 6/27/2018-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Would prohibit a food facility, as specified, where food may be consumed on the premises, from providing single-use plastic straws, as defined, to consumers unless requested by the consumer. The bill would specify that the first and 2nd violations of these provisions would result in a warning and any subsequent violation would be an infraction punishable by a fine of \$25 for each day the food facility is in violation, but not to exceed an annual total of \$300.

**Position**

Oppose

**[AB 3232](#) (Friedman D) Zero-emissions buildings and sources of heat energy.**

**Current Text:** Amended: 5/29/2018 [html](#) [pdf](#)

**Introduced:** 2/16/2018

**Status:** 6/21/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 20). Re-referred to Com. on APPR.

**Summary:** Would require the State Energy Resources Conservation and Development Commission, by January 1, 2021, to assess the potential for the state to reduce the emissions of greenhouse gases from the state's residential and commercial building stock by at least 40% below 1990 levels by January 1, 2030. The bill would require the commission to include in the 2021 edition of the integrated energy policy report and all subsequent integrated energy policy reports a report on the emissions of greenhouse gases associated with the supply of energy to residential and commercial buildings.

**Position**

Oppose

**[SCR 100](#) (Lara D) Safe Drinking Water and Toxic Enforcement Act of 1986: list of chemicals known to cause cancer or reproductive toxicity: processed meat.**

**Current Text:** Amended: 4/9/2018 [html](#) [pdf](#)

**Introduced:** 2/12/2018

**Status:** 4/9/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

**Summary:** Would provide that the Legislature resolves that the Office of Environmental Health Hazard Assessment expeditiously review the International Agency for Research on Cancer monograph relating to processed meat and add "processed meat for consumption" to the list of chemicals known to the state to cause cancer or reproductive toxicity.

**Position**  
Oppose

**SJR 18** **(Hueso D) Federal Tax Cuts and Jobs Act: repeal.**

**Current Text:** Introduced: 1/31/2018 [html](#) [pdf](#)

**Introduced:** 1/31/2018

**Status:** 2/8/2018-Re-referred to Com. on GOV. & F.

**Summary:** This measure would respectfully urge the Congress of the United States to act now to repeal the Tax Cuts and Jobs Act.

**Position**  
Oppose

### 3. Ugly

**AB 3080** **(Gonzalez Fletcher D) Employment discrimination: enforcement.**

**Current Text:** Amended: 5/25/2018 [html](#) [pdf](#)

**Introduced:** 2/16/2018

**Status:** 6/28/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (June 27). Re-referred to Com. on APPR.

**Summary:** Would prohibit a person from, as a condition of employment, continued employment, the receipt of any employment-related benefit, or as a condition of entering into a contractual agreement, prohibiting an applicant for employment, employee, or independent contractor from disclosing to any person an instance of sexual harassment that the employee or independent contractor suffers, witnesses, or discovers in the workplace or in the performance of the contract, or otherwise opposing any lawful practice, or from exercising any right or obligation or participating in any investigation or proceeding with respect to unlawful harassment or discrimination.

**Position**  
Oppose

**ACA 22** **(McCarty D) Middle Class Fiscal Relief Act.**

**Current Text:** Introduced: 1/18/2018 [html](#) [pdf](#)

**Introduced:** 1/18/2018

**Status:** 1/19/2018-From printer. May be heard in committee February 18.

**Summary:** This measure, for taxable years beginning on or after January 1, 2018, would impose a surcharge of 10% on the net income of all corporations that is over \$1,000,000. The measure would authorize the Legislature to increase or decrease the surcharge by a 2/3 vote of each house, as provided. The measure would require the deposit of those revenues, less refunds, into the Middle Class Fiscal Relief Fund, which would be created by the measure. Revenues in the fund would be allocated, upon appropriation by the Legislature, for specified purposes, including providing fiscal benefits to lower and middle-income Californians.

**Position**  
Oppose

**SB 100** **(De León D) California Renewables Portfolio Standard Program: emissions of greenhouse gases.**

**Current Text:** Amended: 6/27/2018 [html](#) [pdf](#)

**Introduced:** 1/11/2017

**Status:** 7/3/2018-VOTE: Do pass as amended.

**Summary:** The Legislature has found and declared that its intent in implementing the California Renewables Portfolio Standard Program requires the PUC is to attain, among other targets for sale of eligible renewable resources, the target of 50% of total retail sales of electricity by December 31, 2030. This bill would revise the above-described legislative findings and declarations to state that the goal of the program is to achieve that 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030.

**Position**  
Oppose

**SB 562** **(Lara D) The Healthy California Act.**

**Current Text:** Amended: 5/26/2017 [html](#) [pdf](#)

**Introduced:** 2/17/2017

**Status:** 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was DESK on 6/1/2017) (May be acted upon Jan 2018)

**Summary:** Current law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care

services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. This bill, the Healthy California Act, would create the Healthy California program to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state.

**Position**

Oppose

**SB 993 (Hertzberg D) Sales and use taxes: service tax: qualified business.**

**Current Text:** Amended: 5/9/2018 [html](#) [pdf](#)

**Introduced:** 2/5/2018

**Status:** 5/16/2018-May 16 hearing: Heard for testimony only.

**Summary:** Would reduce the rate of tax imposed by the Sales and Use Tax Law incrementally every calendar year beginning on January 1, 2020, until January 1, 2022, at which time the rate would be reduced by a total of 2%. This bill would require the Director of Finance to estimate the amount of net revenue that will be derived for specified calendar years as a result of the changes made by this bill and would require the rate of tax imposed by the Sales and Use Tax Law to be reduced or increased by a specified percentage amount for specified calendar years depending on the amount of the estimated revenue gains or losses.

**Position**

Oppose

**SB 1300 (Jackson D) Unlawful employment practices: discrimination and harassment.**

**Current Text:** Amended: 6/27/2018 [html](#) [pdf](#)

**Introduced:** 2/16/2018

**Status:** 6/27/2018-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Would require an employee in an action alleging that a defendant failed to take all reasonable steps necessary to prevent discrimination and harassment from occurring, as described above, to show that the employer knew that the conduct was unwelcome to the employee, that the conduct would meet the legal standard for harassment or discrimination if it increased in severity or became pervasive, and that the defendant failed to take all reasonable steps to prevent the same or similar conduct from recurring.

**Position**

Oppose

**Total Measures: 16**

**Total Tracking Forms: 16**